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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>REQUEST TO RESCIND PREVIOUS NONPUBLICATION REQUEST 35 U.S.C. 122(b)(2)(B)(ii) AND NOTICE OF FOREIGN FILING REQUIRED BY 35 U.S.C. § 122(B)(2)(B)(III)</b>  I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to M/S PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.  <div style="text-align: center;">B. Noël Kivlin Name of Registered Representative</div> <div style="display: flex; justify-content: space-between;"><div style="text-align: center;">_____ Signature</div><div style="text-align: center;">1-27-05 Date</div></div>		Application No:		10/765,828	
		Filing Date:		January 27, 2004	
		Group Art Unit:		2154	
		Examiner:			
		Atty Docket Number:		5681-78600	
		First Named Inventor:		Patrick Petit	
Title:		Overload Management in an Application-Based Server			

A request that the above-identified application not be published under 35 U.S.C. 122(b) (nonpublication request) was included with the above-identified application on filing pursuant to 35 U.S.C. 122 (b)(2)(B)(i). I hereby **rescind** the previous nonpublication request.

This is also a notice of foreign or international filing pursuant to 35 U.S.C. 122(b)(2)(B)(iii) and 37 CFR 1.213(c). This notice is being provided no later than forty-five (45) days after the date of such foreign or international filing.

January 26, 2005

Date

  
Signature

(512) 853-8800

Telephone Number

B. Noël Kivlin

Typed or printed name

33,929

Reg. No.

**This request must be signed in compliance with 37 CFR 1.33(b).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(b). The information is used by the public to rescind a previously filed request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that rescission). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PG Pub, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**